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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,426	03/25/2004	Tsukasa Eguchi	118985	6958

25944 7590 05/11/2005

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P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

MAGEE, THOMAS J

ART UNIT	PAPER NUMBER
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2811

DATE MAILED: 05/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

57M

Office Action Summary	Application No.	Applicant(s)	
	10/808,426	TSUKASA EGUCHI	
	Examiner	Art Unit	
	Thomas J. Magee	2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03252004; 02252005.</u> | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections – 35 U.S.C. 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 5, 10, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Kubota et al. (US 6,600,546 B2).

3. Regarding Claim 1, Kubota et al. disclose a semiconductor device comprising:

a first conductive layer (11) (Figures 2A, 2B) formed on a substrate (Col. 5, lines 9 – 11)),
an insulating interlayer (12) positioned over the first conductive layer (11), the insulating interlayer having a contact hole (12a – 12b) (Figure 2A) that is at least partially disposed directly on the first conductor layer, and

a second conductive layer (13) formed on the insulating interlayer (12), the second conductive layer being electrically coupled to the first conductive layer through the contact hole,

the contact hole (12a) extending beyond an edge of the first conductive layer (13) (Figure 2B).

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4. Regarding Claim 2, Kubota et al. disclose a semiconductor device, wherein the first conductive layer (74) (Figure 12) entirely overlaps the contact hole and the “other” conductive layer (73) partially overlaps the contact hole (12a) in plan view.

5. Regarding Claim 3, Kubota et al. disclose a semiconductor device wherein said one of the conductive layers is the “first” conductive layer (11) and said other conductive layer is the “second conductive layer (13).

6. Regarding Claim 4, Kubota et al. disclose a semiconductor device, wherein a plurality of said “other” conductive layers (73) extend in parallel lines in an array (Figure 12).

7. Regarding Claim 5, Ahn et al. discloses a semiconductor device, wherein one of the conductive layers (11) intersects the said “other” conductive layer (13) (Figure 2A).

8. Regarding Claim 6, Kubota et al. disclose the presence of said “other” conducting layer (74) (Figure 12) that overlaps the contact hole (12a) (Col. 11, lines 7 – 21) that is shifted to one side of said other conductive layer.

9. Regarding Claim 7, Kubota et al. disclose (Figure 4F) a conductive layer (11) overlapping the contact hole, wherein two opposing edges of the contact hole are outside the conductive layer.

10. Regarding Claim 8, Kubota et al. disclose (Figure 1A) that the other conductive

layer (13) partially overlaps the contact hole (12a/12b) in the lengthwise (vertical in figure)

11. Regarding Claims 10 and 11, Kubota et al. disclose (Col. 1, lines 15 – 35) an electro-optical unit, the substrate being used to hold an electro-optical substance and pixels having pixel transistors and electrodes disposed in an array (matrix) on the substance, wherein the substance is an LCD.

Claim Rejections – 35 U.S.C. 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota et al., as applied to Claims 1 – 8, 10, and 11.

14. Regarding Claim 9, Kubota et al. disclose that the contact hole is rectangular (Figure 12), but do not disclose that the “other” conductive layer extends diagonally with respect to the edges of the contact hole. It would have been obvious to one of ordinary skill in the art at the time of the invention to arrange the signal lines in a diagonal fashion to provide additional space on the chip.

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15. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota et al., as applied to Claims 1 – 8, 10, and 11, and further in view of Imanishi (US 6,828,042 B2).

16. Regarding Claim 12, Kubota et al. do not disclose the presence of an organic electroluminescent substance that constitutes the light emitting elements on the substrate of the electro-optical unit. Imanishi discloses an organic electroluminescent material (Col. 7, lines 6 – 16) that is used in an electro-optical device. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Imanishi with Kubota et al. to obtain a device with improved light emitting efficiency (Imanishi, Col. 28, lines 31 – 40).

17. Regarding Claim 13, Kubota et al. do not explicitly disclose an electronic apparatus comprising the electro-optical unit. Imanishi discloses that the unit is used in flat panel displays, cellular phones, and optical computers (Col. 1, lines 1 – 17). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Imanishi with Kubota et al. to obtain product uses for the device of Kubota et al.

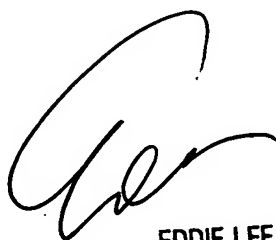
Conclusions

18. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Thomas Magee**, whose telephone number is **(571) 272 1658**. The Examiner can normally be reached on Monday through Friday from 8:30AM

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to 5:00PM (EST). If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, **Eddie Lee**, can be reached on **(571) 272-1732**. The fax number for the organization where this application or proceeding is assigned is **(703) 872-9306**.

Thomas Magee
April 23, 2005

A handwritten signature in black ink, appearing to read 'Eddie Lee', is positioned above the printed name and title.

EDDIE LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800